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Attorney for defendant Sean Michael Cole

FILED

DISTRICT COURT OF GUAM

JUN 28 2005 *mb*

MARY L.M. MORAN
CLERK OF COURT

DISTRICT COURT OF GUAM

(42)

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GERARDO ELOY GONZALEZ, JR., et
al.,

Defendants.


Criminal Case No. 05-00039

MOTION AND DECLARATION
FOR CONTINUANCE

Defendant Sean Michael Cole respectfully moves the Court for an order that the trial of this proceeding, heretofore set for July 11, 2005, be postponed and continued for a period of approximately forty-five days, on the ground that the ends of justice served by taking such action outweigh the best interest of the public and defendant Sean Michael Cole in a speedy trial.

Dated, Hagåtña, Guam,

June 28, 2005.


HOWARD TRAPP
For HOWARD TRAPP INCORPORATED
Attorney for defendant
Sean Michael Cole

(DOCUMENT\MTNCONT.SCole)

ORIGINAL


(MOTION AND DECLARATION FOR CONTINUANCE)
Criminal Case No. 05-00039

DECLARATION

I, Howard Trapp, declare that I am the attorney for defendant Sean Michael Cole in this proceeding; that Mr. Cole retained me on June 20, 2005; that Mr. Cole's former attorney was court-appointed; that a substitution of attorneys was executed by Mr. Cole, a partner of his former attorney,¹ and me on June 21, 2005; that the substitution of attorneys was approved by the Court on June 22, 2005; and that the failure to grant a continuance of approximately forty-five days would unreasonably deny me the reasonable time necessary for effective preparation, taking into account due diligence.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 28, 2005, at Hagåtña, Guam.


HOWARD TRAPP
For HOWARD TRAPP INCORPORATED
Attorney for defendant
Sean Michael Cole

¹ The substitution was executed by a partner of Mr. Cole's former attorney, because Mr Cole's former attorney left Guam on June 17, 2005, and he is not expected to return until July 6, 2005.

DECLARATION OF SERVICE

I, Leilani Ada, declare that I am an administrative assistant employed in the office of Howard Trapp, Esq., the attorney for defendant Sean Michael Cole herein, and that I served the document to which this declaration is annexed on Marivic P. David, Esq., Assistant United States Attorney, the attorney for plaintiff herein, by leaving a copy at Office of the United States Attorney for Guam and the Northern Mariana Islands, Suite 500, Sirena Plaza, 108 Hernan Cortez Avenue, Hagåtña, Guam, Ms. David's last known address, with a person in charge thereof, on June 28, 2005.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 28, 2005, at Hagåtña, Guam.

Leilani Ada
LEILANI ADA

DECLARATION OF SERVICE

I, Leilani Ada, declare that I am an administrative assistant employed in the office of Howard Trapp, Esq., the attorney for defendant Sean Michael Cole herein, and that I served the document to which this declaration is annexed on Cynthia V. Ecube, Esq., the attorney for defendant Gerardo Eloy Gonzalez, Jr. herein, by leaving a copy at Law Offices of Cynthia V. Ecube, 207 Martyr Street, Suite 3, Travel Pacificana Bldg., Hagåtña, Guam, Ms. Ecube's last known address, with a person in charge thereof, on June 28, 2005.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 28, 2005, at Hagåtña, Guam.


LEILANI ADA

DECLARATION OF SERVICE

I, Leilani Ada, declare that I am an administrative assistant employed in the office of Howard Trapp, Esq., the attorney for defendant Sean Michael Cole herein, and that I served the document to which this declaration is annexed on William Gavras, Esq., the attorney for defendant John Timothy Peralta herein, by leaving a copy at Law Offices of Gorman & Gavras, P.C., 2nd Floor, J&R Building, 208 Route 4, Hagåtña, Guam, Mr. Gavras's last known address, with a person in charge thereof, on June 28, 2005.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 28, 2005, at Hagåtña, Guam.


LEILANI ADA

DECLARATION OF SERVICE

I, Leilani Ada, declare that I am an administrative assistant employed in the office of Howard Trapp, Esq., the attorney for defendant Sean Michael Cole herein, and that I served the document to which this declaration is annexed on Samuel S. Teker, Esq., the attorney for defendant Deanna Ingrid Morales herein, by leaving a copy at Teker Torres & Teker, P.C., 130 Aspinall Avenue, Suite 2A, Hagåtña, Guam, Mr. Teker's last known address, with a person in charge thereof, on June 28, 2005.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 28, 2005, at Hagåtña, Guam.



LEILANI ADA

DECLARATION OF SERVICE

I, Leilani Ada, declare that I am an administrative assistant employed in the office of Howard Trapp, Esq., the attorney for defendant Sean Michael Cole herein, and that I served the document to which this declaration is annexed on Louis J. Yanza, Esq., the attorney for defendant Gilbert Jose Matta herein, by leaving a copy at Maher, Yanza, Flynn, Timblin, LLP, 115 Hesler Place, Ground Floor, Governor Joseph Flores Building, Hagåtña, Guam, Mr. Yanza's last known address, with a person in charge thereof, on June 28, 2005.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 28, 2005, at Hagåtña, Guam.


LEILANI ADA

DECLARATION OF SERVICE

I, Leilani Ada, declare that I am an administrative assistant employed in the office of Howard Trapp, Esq., the attorney for defendant Sean Michael Cole herein, and that I served the document to which this declaration is annexed on Joaquin C. Arriola, Jr., Esq., the attorney for defendant Jessica Rose Mesa herein, by leaving a copy at Arriola, Cowan & Arriola, 259 Martyr Street, Suite 201, Hagåtña, Guam, Mr. Arriola's last known address, with a person in charge thereof, on June 28, 2005.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 28, 2005, at Hagåtña, Guam.


LEILANI ADA

DECLARATION OF SERVICE

I, Leilani Ada, declare that I am an administrative assistant employed in the office of Howard Trapp, Esq., the attorney for defendant Sean Michael Cole herein, and that I served the document to which this declaration is annexed on Patrick G. Civile, Esq., the attorney for defendant Lisa Marie Rodriguez herein, by leaving a copy at Civile & Tang, PLLC, Suite 200, 330 Hernan Cortez Avenue, Hagåtña, Guam, Mr. Civile's last known address, with a person in charge thereof, on June 28, 2005.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 28, 2005, at Hagåtña, Guam.


LEILANI ADA